

*United States District Court
Office of the Clerk
Western District of Virginia
255 West Main Street, Room 304
Charlottesville, Virginia 22901*
May 31, 2011

John T. Nelson

Plaintiff

vs.

Civil Action No. **3:11-cv-00014**

Andrew H. Herrick, et al

Defendant

To: Gretchen Jackson, LeClair Ryan, PO Box 2017, Charlottesville VA 22902

NOTICE

Rule 4(m) of the Federal Rules of Civil Procedure states that "If a service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign country pursuant to subdivision (f) or (j)(1)."

Pursuant to that rule, you are hereby given notice that the Court's record reflects that your complaint was filed on **February 18, 2011** and as of this date service has not been executed on defendant(s), **Andrew H. Herrick and Albemarle County Department of Social Services**

You have until **June 20, 2011** to notify the Clerk of this Court that service has been accomplished on said defendant(s). Otherwise, the named defendant(s) will be dismissed from the suit without prejudice by Order of this Court.

JULIA C. DUDLEY, CLERK

By: s/ Michele A. Bottiglieri
Deputy Clerk